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8 **Attorneys for Plaintiffs**
9 **Garden City Boxing Club, Inc.**

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **Garden City Boxing Club, Inc.**

13 **Plaintiff,**

14 **vs.**

15 **Miguel Juarez Zavala, et al.**

16 **Defendant.**

17 **CASE NO. 3:07-cv-05925-MMC**

18 **PLAINTIFF'S *EX PARTE***
19 **APPLICATION FOR AN ORDER**
20 **CONTINUING CASE MANAGEMENT**
21 **CONFERENCE; AND ORDER**
22 **~~(Proposed)~~**

23 Plaintiff Garden City Boxing Club, Inc., hereby applies *ex parte* for an order continuing the
24 initial Case Management Conference in this action, presently set for Friday, May 23, 2008 at 9:00 a.m.
25 to a new date approximately thirty (30) to forty-five (45) days forward. This request is necessitated by
26 the fact that Plaintiff only recently perfected service of process as to the remaining Defendant named to
27 this action. (Please see Plaintiff's Exhibit 1, attached.)

28 In addition, as of this writing, Plaintiff has yet to receive an answer or any other responsive
pleading from the Defendant and the Defendant has not contacted Plaintiff's counsel following service
of the suit papers. As a result, Plaintiff's counsel has not conferred with the Defendant concerning the
claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the
preparation of a Case Management Conference Statement.

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Wherefore, Plaintiff respectfully requests that this Honorable Court continue the Case Management Conference presently scheduled for Friday May 23, 2008 to a new date approximately thirty (30) to forty-five (45) days forward in order that responsive pleadings may be filed by the remaining Defendant and Plaintiff's counsel may thereafter confer with the Defendant and/or his counsel and thereafter prepare and file a Joint Case Management Conference Statement for the Court's review.

Respectfully submitted,

Dated: May 13, 2008

/s/ *Thomas P. Riley*

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley

Attorneys for Plaintiff

Garden City Boxing Club, Inc.

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ORDER (Proposed)

It is hereby ordered that the Case Management Conference in civil action number 3:07-cv-5925-MMC styled *Garden City Boxing Club, Inc. v. Miguel Juarez Zavala, et al.*, is hereby continued from 9:00 a.m., Friday, May 23, 2008, to June 27, 2008 at 10:30 a.m.

The Parties shall file a Joint Case Management Statement in advance of the Case Management Conference pursuant to the Local Rules and the Standing Order of this Court.

Plaintiff shall also serve a copy of this Order on the Defendant and thereafter file a Certification of Service of this Order with the Clerk of the Court.

IT IS SO ORDERED:



THE HONORABLE MAXINE M. CHESNEY
United States District Court
Northern District of California

Dated: May 15, 2008

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